

I am extremely tired of the junk faxes, unsolicited phone sales calls and illegal hang-up calls from payphones to my toll free line that I am constantly receiving. I have received over 100 junk faxes over the past 3 or 4 months. I used to receive an average of 2 or 3 sales calls daily at home and 1 or 2 at work. I have had hundreds of hang-up calls from payphones coming into my toll free line. The faxes and calls from payphones cost me hard cash. The sales calls cost me via aggravation and lost time.

Colorado recently initiated a no call list for residential numbers. It has virtually stopped the calls to my home number. The sign up was easy - done via the internet, though there was a phone number I could have called to sign up if I did not have internet access.

The laws need to have strong enough penalties that the offenders can not afford to continue the practice. I have recently begun to work on going after some of the junk faxers and am realizing that it is just a numbers game for the big junkers. They seem to be accepting the small losses from paying the small fines currently allowed as a cost of doing business. The penalties must be substantial enough that they can not afford to continue even if only a small number of the victims go after them. As for me, I don't expect to collect anything from going after the junk faxers. I believe my attorney will end up with most of it.

It would be a huge help if there were a way to make the owners of the corporations doing the mass junk faxing *personally* liable for the damages. Then, the risk would no longer be worth it to them.

One last issue I would like to see addressed is a scam being perpetrated on the owners of toll free numbers. Over the past year, I have been victimized by no less than 4 different individuals, I'm guessing hundreds of times. These individuals are routing payphone lines into their homes and hooking them up to computers or other auto dialers and calling toll free numbers, often 24 hours per day 7 days per week. They normally have at least a couple of lines, and one of the perpetrators in Arizona had an estimated 20 or 30 lines. They are collecting the 24 cents dial around fee (mandated by the FCC) from the owner of the toll free lines. A guy with 10 lines dialing 2 calls per minute 24/7 will collect over \$2,500,000 per year from the scam. There is a lot of it happening. It must be costing businesses and the government hundreds of millions of dollars per year.

There is no easy route to complain. All I am able to do is call my toll free provider and complain to them. If they do anything at all (it normally takes many calls), they may shut them down after some number of months of operation. Indeed, the toll free providers have no incentive to stop the activity since they make money in a couple of different ways off of the scam: They collect the toll free charges from me and they charge something in excess of the FCC imposed 24 cents per call - some charge as much as 30 or 40 cents above the 24 cents. Again, it is paid by the owner of the toll free line. It's a money maker for them. They know it's illegal. They should be able to easily detect it, but why? It's revenue for them, so why not look the other way.

Since I am in effect paying the owner of the payphone for each of these calls, it seems only fair that I should be able to easily obtain the information on the owner of the payphone line that is repeatedly calling me. That way, I could easily complain the authorities and try to initiate a criminal action against the crooks.

Please feel free to call me at 303 841-7567 if you have any questions or would like additional information.

Bob Burkhart